



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

Agency: Administrative Order #07-01 – Health Care Authority – Public Employees' Benefits Board (PEBB)

Subject of possible rule making: PEBB rules related to enrollment in chapter 182-08 WAC; eligibility in chapter 182-12 WAC; and appeals in chapter 182-16 WAC.

Statutes authorizing the agency to adopt rules on this subject: RCW 41.05.160

Reasons why rules on this subject may be needed and what they might accomplish:

The purpose of this rulemaking is to amend PEBB rules in Title 182 WAC and adopt new rules to:

1. Implement the PEB Board's policy decision to expand eligibility to defined domestic partners who are legally barred to marry.
2. Make a number of necessary technical amendments to ensure that PEBB rules align with Internal Revenue Code standards for pre-tax contribution toward benefits; are compliant with other federal requirements; and better define administrative processes.
3. Clarify when an employee is new and thus may elect coverage.
4. Incorporate the term family member as a replacement for the term dependent.
5. Create a rule to govern the petitioning of the PEB Board for changes to policy.
6. Consider a rule that would allow retirees to rescind a request to terminate PEBB coverage based upon impaired decision making.
7. Update appeals rules to reflect current processes and standards.
8. Restructure and edit some rules to improve readability.
9. Implement legislation enacted by the 2006 Legislature.
10. Make consistent among survivors the 180 day time period for notifying HCA of enrollment decisions.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: N/A

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
☐ Pilot rule making
☐ Agency study
☒ Other (describe) Stakeholder mailing and public hearing

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

Individuals wishing to receive PEBB rule making notices are encouraged to join our LISTSERV, PEBB-RULE-MAKING-NOTICE, via this link <http://listserv.wa.gov/archives/pebb-rule-making-notice.html> or by logging on to listserv.wa.gov and selecting our LISTSERV from the Public E-mail List.

The PEB Board will discuss these issues at their May 23, 2007, board meeting and it is likely that they will make policy decisions at their June 27, 2007, board meeting. If you have questions about this rulemaking, contact Barbara Scott at (360) 923-2642 or at the address below.

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DATE
4/10/07

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